

**IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

CYNTHIA GEIGER,

PLAINTIFF,

V.

CASE NO. 3:06cv194-WHA

RYAN FULLER SMALLWOOD,

DEFENDANT.

NOTICE CONCERNING SETTLEMENT CONFERENCE AND MEDIATION

COME NOW the Plaintiff and Defendant, by and through their counsel of record, and file this Notice Concerning Settlement Conference and Mediation, and show unto the Court the following:

1. Counsel for the parties have conducted good faith settlement negotiations.
2. Counsel for the parties reached an agreement to settle for Defendant's insurance policy limits, but Plaintiff's underinsured motorist carrier refused to consent to the settlement and advanced to Plaintiff an amount equal to Defendant's policy limits.
3. Plaintiff and the underinsured carrier have been unable to reach a settlement.
4. Mediation will not assist in settlement of the case, as Defendant has already offered policy limits.

Respectfully submitted this the 15 day of January 2007.

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